

### **REMARKS**

This response is identical in substance to the response filed August 17, 2006. This response has been amended to update the claim indentifiers as required by the Notice of Non-Compliant Amendment dated November 6, 2006.

Claims 6-34 were pending in the application. Claims 20-21 have been withdrawn as being directed to non-elected subject matter. Claims 7, 9, 10, 15, 22-24, 25, 28, 29, and 33 have been amended. Claims 6, 18-21, 30-31, and 34 have been withdrawn. Accordingly, after the amendments presented herein have been entered, claims 7-17, 22-29, and 32-33 will remain pending, and claims 6, 18-21, 30-31, and 34 will stand withdrawn.

Support for the claim amendments can be found throughout the specification and claims as originally filed. No new matter has been added.

Amendment and cancellation of the claims herein are not to be construed as acquiescence to any of the rejections/objections set forth in the instant Office Action or any previous Office Action, and were done solely to expedite prosecution of the instant application. Applicants hereby reserve the right to prosecute the claims as originally filed, or similar claims, in one or more continuation or divisional applications.

In view of the present amendments and remarks, Applicants believe that the claims are in condition for allowance. Should the Examiner disagree, Applicants respectfully request the Examiner to contact Applicants' undersigned representative by telephone so that an interview may be scheduled prior to the mailing of any final Office Action.

## **RESPONSE TO RESTRICTION REQUIREMENT**

The Examiner has required restriction to one of the following three inventions:

1. the construct of claim 34 wherein the construct lacks the transmembrane and cytoplasmic region;
2. the nucleic acid of claim 6; and
3. the construct of claim 32 which contains a polypeptide spacer between the transmembrane/cytoplasmic region and the TCR variable region.

Applicants hereby elect group 3 (the construct of claims 32 and claims depending therefrom) for further prosecution on the merits. Applicants understand upon the allowance of a generic claim, the remaining claims will be considered.

**CONCLUSION**

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: December 6, 2006

Respectfully submitted,

By 

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